

**BEFORE THE ARIZONA BOARD OF
OSTEOPATHIC EXAMINERS IN MEDICINE AND SURGERY**

IN THE MATTER OF:)	Case No. 2427
)	
JOHN ATHANS, D.O.)	FINDINGS OF FACT, CONCLUSIONS
Holder of License No. 2118 for the)	OF LAW AND SUMMARY SUSPENSION
practice of osteopathic medicine in the)	OF LICENSE
State of Arizona.)	
_____)	

The Arizona Board of Osteopathic Examiners in Medicine and Surgery (hereafter "Board") held a public meeting on March 28, 1998, regarding John Athans, D.O. (hereinafter "Respondent").

Following the Board's review of information and evidence obtained pursuant to A.R.S. § 32-1855 and § 32-1855.01, and having considered the evidence and information in the matter and being fully advised, the Board enters the following Findings of Fact, Conclusions of Law and Order of Summary Suspension, pending proceedings for revocation or other action.

FINDINGS OF FACT

1. The Board is empowered, pursuant to A.R.S. § 32-1800, et seq. To regulate the licensing and practice of osteopathic medicine in the State of Arizona.
2. Respondent is a licensee of the Board and the holder of License No. 2118 for the practice of osteopathic medicine in the State of Arizona.
3. Information was brought to the attention of the Board that Respondent may be medically and/or psychologically unable to safely and skillfully engage in the practice of medicine and may have committed one or more acts of unprofessional conduct as defined in A.R.S. § 32-1854.
4. On or about March 25, 1998 the Board received information from John C. Lincoln Hospital-Deer Valley, that Respondent hospital privileges were summarily suspended due to

allegations of substance abuse and narcotics which were unaccounted for. Respondent also refused to take a urine drug screen as required by the hospital.

5. On or about March 25, 1998 the Board issues an Order to Submit to Biological Testing to Respondent which tested positive for Benzodiazapines.

6. On or about March 27, 1998 Respondent informed the Board's Complaint/Compliance manager that he was self-medicating with Valium, Prozac and Tangamet.

7. In public session, the Board voted on March 28, 1998 that Respondent is medically and/or psychologically unable to engage in the practice of medicine and is an immediate threat to the health and welfare of the public.

CONCLUSIONS OF LAW

1. Pursuant to A.R.S. § 32-1800, et seq. the Arizona Board of Osteopathic Examiners in Medicine and surgery has subject matter and personal jurisdiction in this matter.

2. The Board has the authority to summarily suspend an osteopathic license pursuant to A.R.S. § 32-1855(C) and § 41-1064 when the physician may not safely engage in the practice of medicine and is an immediate threat to the public's health, welfare and safety.

ORDER

NOW, THEREFORE, IT IS ORDERED AS FOLLOWS:

1. Pursuant to A.R.S. § 32-1855(C) and § 41-1064, summarily suspending License No. 2118 held by JOHN ATHANS, D.O. for the practice of osteopathic medicine in this State of Arizona effective March 28, 1998 pending further disciplinary proceedings or until further Order of the Board.

2. Pursuant to A.R.S. § 32-1855(C), that JOHN ATHANS, D.O. shall submit himself for

such mental, physical or oral or written medical competency examinations or any combination thereof as will be designated by the Board. Such examinations shall be conducted by persons specified by the Board.

3. Pursuant to A.R.S. § 32-1855(C), this matter shall be heard by a Hearing Officer or the full Board within sixty (60) days.

ENTERED this 28th day of March, 1998.

ARIZONA BOARD OF OSTEOPATHIC EXAMINERS
IN MEDICINE AND SURGERY

By: Ann Marie Berger
Ann Marie Berger, Executive Director

Served by personal service or
Certified Mail this 28th day
of March, 1998 to:

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